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Attorney for Plaintiff,
TAMARA DOUKAS

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
DIVISION OF SAN FRANCISCO**

TAMARA DOUKAS, an individual,

Plaintiff,

VS.

COUNTY OF SAN MATEO, a public entity, PENINSULA HUMANE SOCIETY, a private non-profit organization, DEBI DENARDI, an individual, KIM HADDAD, an individual, KKH INC, a private entity, SPIKE REAL STATE, a private entity and DOES 1 through 50, inclusive,

Defendants.

Case No.: 08 2336 SI

SUPPLEMENTAL

**DECLARATION OF DANIEL BERKO IN
SUPPORT OF PLAINTIFF'S RESPONSE
TO ORDER TO SHOW CAUSE RE. STAY**

Hearing Judge: Hon. Susan Illston

I, Daniel Berko, declare:

1. I am an attorney licensed to practice law before all the courts of the State of California and attorney of record for Plaintiff Tammy Doukas.

2. In my declaration filed on October 24, 2008, I stated that I intended to file by late the next week a Motion to Stay the state court case. Everything I stated in my declaration was true at the time the declaration was filed. However, subsequently, I determined that Plaintiff was

SUPPLEMENTAL DECLARATION OF DANIEL BERKO IN SUPPORT OF PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE RE STAY

1 best served by filing a Motion to Disqualify the San Mateo Superior Court and that a Motion to
2 Stay the Case in state court should not be filed until the Motion to Disqualify is determined.
3

4 3. I am filing this declaration solely to avoid my earlier declaration creating a false
impression in light of the changed circumstances as to the motion to be filed.

5 I declare under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct and that this declaration was executed on November 9, 2008 at
7 San Francisco, California.

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9 _____ /s/
10 DANIEL BERKO
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